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October 24, 2016

Re: Daniels, et al., v. City of N.Y., et al., No. 16 Civ. 190 (PKC) (JO)

Dear Judge Orenstein:

I represent Plaintiffs in this action and I write on behalf of the Parties to jointly submit this status report and motion for extension of fact discovery. We respectfully request that fact discovery be extended until Friday, December 16, 2016.

The Parties argue that the extension request is supported by good cause because Assistant Corporation Counsel David Cooper is leaving the Law Department and the case has been submitted for transfer to another ACC. This development has unfortunately though understandably caused some delay in preparing the case for trial. The request is timely made because Mr. Cooper's departure was only recently announced.

To further show the Parties' good faith in making this request, we can represent that despite Mr. Cooper's imminent departure, the Parties have been diligent in making discovery progress during the month of October 2016. For example, Defense Counsel took both Plaintiffs' depositions; Defendants produced an additional eighty pages of paper discovery and intend to produce still more paper discovery in the next few days; Plaintiffs served deficiency notices and supplemental requests after making an inventory of those document productions; and Plaintiffs served NYCHA with a subpoena which will likely yield a response later this week.

Despite these advances, Mr. Cooper's departure has meant that the Parties have work left to complete. Plaintiffs' counsel intends to litigate with Mr. Cooper's successor the production of additional confidential informant records. Additionally, the Parties will complete Defendant Officers' depositions.

The Parties confidently estimate that Plaintiffs' Counsel and Mr. Cooper's successor can complete fact discovery by December 16, 2016. Plaintiff's Counsel also respectfully proposes that, on or before November 4, 2016, I will file a joint status report and, in a separate filing, any motion to compel if one is needed.

Thank you,

A handwritten signature in blue ink that reads 'Ryan Lozar'.

Ryan Lozar